

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : DARST *ET AL.*
SERIAL NO. : UNASSIGNED EXAMINER : UNKNOWN
FILED : HEREWITH ART UNIT : UNKNOWN
FOR : A CRYSTAL OF BACTERIAL CORE RNA POLYMERASE
(AMENDED)

VIA EXPRESS MAIL NO: EL676518511US
DATE OF DEPOSIT: February 13, 2001

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

In accordance with Rule 111 of the Rules of Practice please consider the following
amendments and remarks. Please amend the Application as follows:

IN THE SPECIFICATION:

On Page 1, on the line directly under the title please insert:

-- CROSS-REFERENCE TO RELATED APPLICATIONS

The present Application is a divisional application of copending application, U.S. Serial No.
09/396,651, filed September 15, 1999, the disclosure of which is hereby incorporated by
reference in its entirety. The Applicants claim the benefit of this Application under 35 U.S.C.
§120. --

On Page 14, line 17, after "NADFDGD- motif:" please insert -- (SEQ ID NO:4) -- .

On Page 15, line 17, after "NADFDGD- motif:" please insert -- (SEQ ID NO:4) -- .

On Page 55, line 14, after "NADFDGD- motif:" please insert -- (SEQ ID NO:4) -- .

On Page 60, line 6, after "NADFDGD- motif:" please insert -- (SEQ ID NO:4) -- .

On Page 63, line 11, after "NADFDGD- motif:" please insert - - (SEQ ID NO:4) - - .

The Applicants also request that the enclosed Substitute Sequence Listing be inserted into the Specification in place of the current Sequence Listing. This Sequence Listing corresponds to the third and final diskette placed in the file in the parent application.

Please amend the Title to read:

- - A CRYSTAL OF BACTERIAL CORE RNA POLYMERASE (AMENDED) - -

IN THE CLAIMS:

Please cancel Claims 9-20 without prejudice.

REMARKS

The Specification has been amended to cross reference related applications, incorporate references to the appropriate SEQ ID NOs. where specific sequences are indicated, and to change the title to more distinctly represent the subject matter being claimed. No new matter has been entered.

No additional fees are believed to be necessitated by the foregoing amendment. However, should this be erroneous, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or credit any overages.

Applicants respectfully request entry of the foregoing amendments into the file history of the above-identified Application. Early and favorable action on the pending Claims are earnestly solicited.

In the event that there are any questions concerning this Preliminary Amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of the application may be expedited.

Respectfully submitted,
KLAUBER & JACKSON

A handwritten signature in cursive script, reading "Michael D. Davis", written over a horizontal line.

Michael D. Davis
Registration No. 39,161

Continental Plaza
411 Hackensack Avenue
Hackensack, New Jersey 07601
(201) 487-5800
Date: February 13, 2001